

**SPEX 2009-0006**  
**DULLES INDUSTRIAL PARK SOUTH, LOT 1**  
**CONDITIONS OF APPROVAL**  
**(February 4, 2010)**

1. **Substantial Conformance.** The proposed Special Exception use, bulk storage of propane gas, shall be developed in substantial conformance with Sheet 2 and Sheet 3 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled Special Exception Plat, Lot 1, Dulles Industrial Park South, SPEX 2009-0006, CMPT 2010-0001, prepared by William H. Gordon Associates, Inc., dated February 3, 2009, revised through February 2, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance"). Approval of this application for Tax Map 102///1/////1/ (PIN# 097-40-7676) (the "Property"), shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Uses Permitted/Prohibited.** Approval of the Special Exception grants approval under the general use "Storage, bulk gasoline, petroleum products and natural gas, small and large" as set forth in the Revised 1993 Loudoun County Zoning Ordinance, in the MR-HI (Mineral Resource – Heavy Industrial) Zoning District. This Special Exception specifically approves only the installation and use of two 30,000-gallon propane storage tanks as shown on Sheet 3 of the Special Exception Plat and applies only to that area of the Property shown on Sheet 3 as lying within the bold, single-dash lines and labeled as "Limits of Special Exception (42,153 S.F. or 0.97 ac.)" (the "Special Exception Area"). Notwithstanding the provisions of the MR-HI Zoning District use regulations, storage of distribution vehicles shall not be permitted on the Property within the Special Exception Area.
3. **Hours of Operation.** Activities related to the use of the propane tanks and associated equipment shall be limited to the hours from 7:30 a.m. to 5:00 p.m., Monday through Friday, except as required for maintenance and safety inspection.
4. **Storage Tank Design.** The applicant shall utilize precast, reinforced concrete steel piers to support the propane tanks. The propane tanks shall be painted light, reflective colors.
5. **Emergency Response and Evacuation Plan.** Prior to the issuance of the first zoning permit for the special exception use, the applicant will develop and submit an Emergency Response and Evacuation Plan to the Department of Fire, Rescue and Emergency Management for Fire-Rescue preparedness training specific to the propane tanks and associated equipment that are to be installed on the Property.

6. **Safety Equipment.** The applicant shall install a remote emergency gas shut-off station within the Special Exception Area in accordance with applicable fire prevention code or other applicable regulations, or, if no such code or regulations otherwise require, within two hundred and fifty-five feet (255') of the propane tanks. Stored propane shall contain an odorant for gas leak detection.
7. **Fencing.** Prior to first zoning permit approval for the Special Exception use, the Applicant shall install a chain link fence at least six feet (6') in height along the perimeter of the area of the propane tanks as shown on Special Exception Plat Sheet 3.
8. **Landscaping.** The applicant shall install an Evergreen Tree Buffer / Screen as shown on the Special Exception Plat Sheet 3 prior to or in conjunction with the first zoning permit approval for the Special Exception use. The size, amount, and species of the evergreen plantings shall be determined in consultation with the County Urban Forester. The applicant shall utilize native species for new plant material, as determined in consultation with the County Urban Forester, to the maximum extent possible. All required landscaping shall be depicted upon and bonded with the site plan. Landscaping materials within the Evergreen Tree Buffer / Screen shall be maintained in good condition by the property owner or appropriate owners association for the life of the planted material.
9. **Lighting.** No lighting fixtures shall be installed in conjunction with the Special Exception use except as otherwise required by law, ordinance, or regulation.
10. **Right of Way.** Upon written request by the Virginia Department of Transportation (VDOT) or the County, the Applicant shall dedicate to the County or VDOT, as applicable, five feet (5') of right of way along the Property's frontage to Wade Drive (Route 872) for public street purposes including without limitation the construction of the planned Route 50 North Collector Road. Such dedication shall be provided at no public cost.
11. **Easements.** Upon written request by VDOT or the County, the applicant shall grant construction, drainage, and all other easements necessary for the construction of the public street improvements referenced in Condition 10 above, at no public cost.
12. **Pump and Haul Facilities.** Pump and haul tanks located on the Property shall be abandoned prior to first site plan approval for the Special Exception use.
13. **Well Monitoring Program.** The Applicant shall work with the County to determine if the existing on-site well is suitable for the County's well monitoring program. If the on-site well is suitable for the well monitoring program, the Applicant shall provide access to the County for water quality and water quantity testing. Such access shall be provided through coordination with the Applicant and/or owners of the Property.

**NOTE:** *The Applicant has agreed to provide a one time Fire and Rescue contribution to the County in the amount of \$1,000 for equal distribution between the primary volunteer Fire and Rescue servicing companies. This contribution shall be made prior to the issuance of a zoning permit for the installation any propane storage tank on the Property. Applicant has further agreed that the amount of such contribution shall escalate annually from the base year of 2009 and shall change effective each January 1st thereafter, based on the Consumer Price Index (CPI-U) for all urban consumers, 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.*